

1	UNITED STATES DISTRICT COURT	
2	DISTRICT OF NEVADA	
3	AARON A. WEBB,	Case No. 3:19-cv-00305-MMD-WGC
4		Plaintiff
5	v.	ORDER
6	WARDEN WILLIAM GITTERE,	
7		Defendants
8		

9 I. DISCUSSION

10 According to the Nevada Department of Corrections (“NDOC”) inmate database,
11 Plaintiff is no longer incarcerated. Prior to his release, Plaintiff filed a notice indicating his
12 anticipated address after release. (ECF No. 7.) But an anticipated address is not official
13 until an inmate is actually released and confirms a new address. Plaintiff has not
14 confirmed his new address since his release, and Ely State Prison remains his official
15 address until Plaintiff files an updated address with the Court. The Court notes that
16 pursuant to Nevada Local Rule of Practice IA 3-1, a “pro se party must immediately file
17 with the court written notification of any change of mailing address, email address,
18 telephone number, or facsimile number. The notification must include proof of service on
19 each opposing party or the party’s attorney. Failure to comply with this rule may result in
20 the dismissal of the action, entry of default judgment, or other sanctions as deemed
21 appropriate by the court.” Nev. Loc. R. IA 3-1. This Court grants Plaintiff thirty (30) days
22 from the date of entry of this order to file his updated address with this Court. If Plaintiff
23 does not update the Court with his current address within thirty (30) days from the date
24 of entry of this order, the Court will dismiss this action without prejudice.

25 Additionally, the Court denies Plaintiff’s applications to proceed *in forma pauperis*
26 for prisoners (ECF Nos. 1, 3) as moot because Plaintiff is no longer incarcerated. The
27 Court now directs Plaintiff to file an application to proceed *in forma pauperis* by a non-
28 prisoner within thirty (30) days from the date of this order or pay the full filing fee of \$400.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that Plaintiff will file his updated address with the Court within **thirty (30) days** from the date of this order.

IT IS FURTHER ORDERED that Plaintiff's applications to proceed *in forma pauperis* for prisoners (ECF Nos. 1, 3) are DENIED as moot.

IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND Plaintiff a copy of this order, the approved form application to proceed *in forma pauperis* by a non-prisoner, and the document entitled information and instructions for filing an *in forma pauperis* application. The Clerk of the Court will send these documents to Plaintiff via both Ely State Prison, which remains his official address, and the address that Plaintiff indicated would be his address after his release from prison: 649 Morning View Dr.; San Antonio, Texas 78220.

IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order, Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis* for non-prisoners; or (2) pay the full filing fee of \$400.

IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, the Court will dismiss this case without prejudice.

DATED: May 18, 2020.

Walter G. Cobb

UNITED STATES MAGISTRATE JUDGE
